

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

C.H. *by and through next friend*
SONYA MARIE HUNT,

Plaintiff,

v.

PATTONVILLE SCHOOL DISTRICT, et al.,

Defendants.

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No. 4:21-cv-00443-JCH

MEMORANDUM AND ORDER

This matter comes before the Court on two pro se motions filed by Sonya Marie Hunt, the next friend of plaintiff C.H. In the first motion, Ms. Hunt identifies herself as the plaintiff, and requests to “view/inspect all documents related to [the] case.” (Docket No. 28). In the second, lengthier motion, Ms. Hunt seeks a “stay of proceedings” and asks the Court to “terminate the Court appointed attorney.” (Docket No. 29).

In its initial review of this 42 U.S.C. § 1983 complaint, pursuant to 28 U.S.C. § 1915, the Court explained that Ms. Hunt could not litigate this matter on behalf of her minor child. Specifically, “[n]on-attorney parents cannot litigate pro se on behalf of their minor children, even if the minors cannot then bring the claim themselves.” *Crozier for A.C. v. Westside Community School District*, 973 F.3d 882, 887 (8th Cir. 2020). *See also* 28 U.S.C. § 1654 (stating that in all United States courts, “the parties may plead and conduct their own cases personally or by counsel”). While this rule “may not be ironclad,” there is no exception for lawsuits based on 42 U.S.C. § 1983 or general state tort law. *Crozier*, 973 F.3d at 887.

Because there was no indication that plaintiff’s parents were attorneys, the Court noted that they could not litigate on plaintiff’s behalf. However, the Court granted plaintiff’s motion for

appointment of counsel, and appointed an attorney to represent C.H. An attorney has entered his appearance on plaintiff C.H.'s behalf. All motions filed on behalf of plaintiff must be filed through counsel. Therefore, Ms. Hunt's motions are denied.

Accordingly,

IT IS HEREBY ORDERED that Ms. Hunt's motions to view documents (Docket No. 28) and to stay proceedings (Docket No. 29) are **DENIED**.

Dated this 20th day of July, 2022.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE